

### **REMARKS/ARGUMENTS**

The final Office action of July 7, 2006 has been carefully reviewed and these remarks are responsive thereto. Claim 38 has been cancelled. Claims 31, 33 and 39 have been amended. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Allowable Subject Matter***

Applicants thank the Examiner for indicating allowable subject matter with respect to claims 33-35.

#### ***Claim Objections***

Claim 38 is objected to because of an alleged typographical error in the term "authorised." Applicants have cancelled claim 38 rendering this rejection moot.

#### ***Claim Rejections Under 35 U.S.C. §112***

Claims 32-35 and 39-47 stand rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. Applicants have amended claims 31 (from which claims 32-35 depend), 33 and 39 to be in a more preferred form. As such, Applicants respectfully traverse this rejection for at least this reason.

#### ***Claim Rejections Under 35 U.S.C. §102(e)***

Claims 31, 32, 36, 38, 39 and 45 stand rejected under 35 U.S.C. §102(e) as being anticipated by Wasilewski *et al.* (U.S. Patent No. 6,157,719, hereinafter "Wasilewski"). This rejection is respectfully traversed for at least the following reasons.

Amended independent claim 31 relates to a method for use in a conditional access system, wherein a second service provider checks whether a user is authorized to access a second broadcast stream by checking that a subscription arrangement exists between the user and the first service provider. Amended independent claim 39 is directed to a conditional access system, wherein a subscription authorization module is operable to similarly check that a subscription

arrangements exists between the user and the first service provider. Nowhere does Wasilewski teach or suggest such a feature. The Office Action asserts, at p. 4, that Wasilewski discloses such a feature at col. 4, line 67 – col. 5, line 6. Applicants respectfully disagree. At most, Wasilewski discloses sending authorization information after a subscriber has purchase a service. Even so, the mere existence of a subscription arrangement for a set top box as described in Wasilewski does not constitute *checking* the subscription arrangement with a first service provider to determine whether a broadcast stream should be access from a second service provider. As such, claims 31 and 39 are allowable for at least this reason.

Further, claims 31 and 39 also relate to, *inter alia*, a first decoder for receiving a first scrambled broadcast stream from a first service provider in a first region and a second decoder for receiving a second scrambled broadcast stream from a second service provider in a second region different from said first region. Wasilewski lacks any teaching or suggestion of a first service provider in a first region and a second service provider in a second region, the second region being different from the first region. Significantly, the Office Action asserts that provider 103 of Wasilewski constitutes both the first service provider and the second service provider. Even assuming, without admitting, the validity of such an assertion, Wasilewski does not teach or suggest that provider 103 is in both a first region and a second region, wherein the first region is different from the second region. Claims 31 and 39 are thus also allowable for this additional reason.

Claims 32, 36, 38 and 45 are dependent on claims 31 and 39, respectively, and are thus allowable for at least the same reasons as their base independent claims and further in view of the novel and non-obvious features recited therein.

### ***Claim Rejections Under 35 U.S.C. §103***

Claims 37, 40-44 and 46-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wasilewski. This rejection is respectfully traversed for at least the following reasons.

Claims 37, 40-44 and 46-47 depend on claims 31 and 39, respectively, and thus, incorporate all of the features of their base independent claims. As discussed above, Wasilewski does not teach or suggest all of the features of claims 31 and 39. Further, the Examiner's

Official Notice, even if valid, does not cure the deficiencies of Wasilewski identified above. As such, claims 37, 40-44, 46 and 47 are allowable for at least the same reasons as claims 31 and 39 and further in view of the novel and non-obvious features recited therein.

Respectfully submitted,  
  
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